

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

KIMBERLY KILPATRICK,

Plaintiff,

v.

MICHAEL J. ASTRUE,
Commissioner of Social Security,

Defendant.

ORDER

09-cv-393-bbc¹

In this case, plaintiff Kimberly Kilpatrick seeks reversal of a final decision of the Commissioner of Social Security denying her application for supplemental security income. Plaintiff suffers from paranoid schizophrenia. In a February 3, 2010 order, Magistrate Judge Stephen L. Crocker granted plaintiff's motion for appointment of counsel and stayed further proceedings in order to locate counsel for plaintiff.

Khalaf M. Khalaf, a member of the Wisconsin Bar, has agreed to represent plaintiff, with the understanding that he will serve with no guarantee of compensation for his services.

¹ This case was assigned to Judge William M. Conley pursuant to a March 31, 2010 administrative order. However, Judge Conley recused himself from the case in an June 1, 2010 order, so the case has been reassigned to me.

It is this court's intention that the appointment of this attorney to represent plaintiff extend to proceedings in this court only.²

Plaintiff should understand that because I am appointing counsel to represent her, she may no longer communicate directly with the court about matters pertaining to his case. She must work directly with her lawyer and permit him to exercise his professional judgment to determine which matters are appropriate to bring to the court's attention and in what form. Plaintiff will not have the right to force counsel to raise frivolous arguments or to follow every directive she makes. She should be prepared to accept the strategic decisions made by her lawyer even if she disagrees with some of them, and she should understand that it is unlikely that this court will appoint another lawyer to represent her should she choose not to work with the first appointed lawyer.

Finally, Mr. Khalaf should be aware that electronic filing is mandatory in all counseled civil cases. He should register for the electronic filing system as soon as possible. Information on electronic filing and the court's administrative procedures are available on the court's website, www.wiwd.uscourts.gov, under the CM/ECF heading.

² "Proceedings in this court" include all matters leading up to a final judgment on the merits, the filing of a Notice of Appeal, if appropriate, and ensuring that all steps are taken to transfer the record to the Court of Appeals for the Seventh Circuit.

ORDER

IT IS ORDERED that Khalaf M. Khalaf is appointed to represent plaintiff in this case.

FURTHER, IT IS ORDERED that briefing will proceed as follows: plaintiff shall have until July 2, 2010 in which to file her brief in support. The commissioner's brief in response is due on August 2, 2010. Plaintiff's reply brief is due August 16, 2010.

Entered this 3rd day of June, 2010.

BY THE COURT:

/s/

BARBARA B. CRABB
District Judge